

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 31, 2010 has been entered.

Information Disclosure Statement

2. Any foreign language documents submitted by applicant have been considered only to the extent of the short explanation of significance, English abstract or English equivalent, if appropriate.

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Toyohiko Konno, Reg. No. L0053, on April 8, 2009.

The application has been amended as follows:

In line 9 of claim 1 and line 10 of claim 11, "axial direction from" has been changed to --axial direction beyond--.

Allowable Subject Matter

4. Claims 1, 4, 6, 7, 9 - 12, and 14 - 23 allowed.
5. The following is an examiner's statement of reasons for allowance:

In the final rejection, mailed November 3, 2009, independent claims 1 and 11 were rejected under 35 USC § 103(a) as being unpatentable over Ota JP '561 (JP 2001-301561) in view of JP '850 (JP 3041850 U). The examiner maintains that this combination represents the closest prior art. Although the claims filed after the final rejection on February 18, 2010 were not written clearly, the examiner agrees with applicant's arguments with respect to the above rejection. The combination of Ota and JP '850 provides a filter having three wire mesh layers with the second layer having a finer mesh size. There is **no** teaching or suggestion, however, in either Ota or JP '850 for providing a second layer that projects in an axial direction beyond the end surfaces of the first and third layers. Claims 4, 6, 7, 9, 10, 12, and 14 - 23 depend either directly or indirectly from claims 1 or 11 and are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT A. CLEMENTE whose telephone number is (571)272-1476. The examiner can normally be reached on M-F, 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Marcheschi can be reached on (571) 272-1374. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RAC
/Michael A Marcheschi/
Supervisory Patent Examiner, Art Unit 1797